

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LANDWORKS CREATIONS, LLC

Plaintiff,

v.

UNITED STATES FIDELITY &
GUARANTY COMPANY

Defendant,

C.A. No. 4:05-CV-40072-FDS

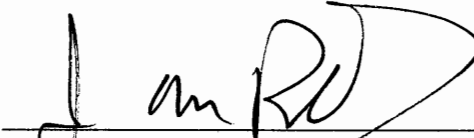
AFFIDAVIT OF JAMES M. PETERS, JR. IN SUPPORT OF USF&G'S
OPPOSITION TO PLAINTIFF'S MOTION TO REMAND


I, James M. Peters, Jr., on oath depose and state as follows:

1. I am employed at St. Paul Travelers as Vice President in the Bond Claim Department in Hartford, Connecticut. In that position, I have responsibility for the oversight, handling and management of claims arising under surety bonds executed by United States Fidelity and Guaranty Company ("USF&G") on behalf of Standen Contracting Company, Inc.
2. The facts set forth below are true, accurate and complete, based either upon my personal knowledge or my information and belief, formed after inquiry into these facts. To the extent based upon my information and belief, I believe all facts set forth below are true.
3. USF&G is incorporated under the laws of the State of Maryland. It is an indirect wholly owned subsidiary of The St. Paul Travelers Companies, Inc.

4. The principal place of business of USF&G is 385 Washington Street, St. Paul, Minnesota.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of November, 2005.

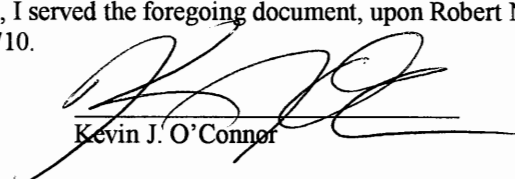

James M. Peters, Jr.
United States Fidelity & Guaranty Company


Kevin J. O'Connor, BBO No. 555249
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SPEARING, P.C.
111 Devonshire Street, 8th Floor
Boston, MA 02109
(617) 728-0050
(617) 728-0052 (F)

Dated: November 2, 2005

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of November, 2005, I served the foregoing document, upon Robert N. Meltzer, Attorney at Law, P.O. Box 1459, Framingham, MA 01710.


Kevin J. O'Connor

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